

U.S.S.N. 09/465,436
Group Art Unit: 2172

AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A process for storing data, comprising
 providing a back up server having storage for a plurality of data files,
 providing a long term memory device having a plurality of data storage elements and a
 processor for coordinating the operation of the plurality of data storage elements,
 directing the processor to store data on the data storage elements and for recording a time
 signal representative of the time of recording storing data,
 detecting a condition representative of each data storage element having reached a data
storage capacity, and
 based on the condition, directing the processor to compare the time signals for each data
 storage element to, and
 based on the time signal comparison, store directing the processor to store data on the
 data storage element having the earliest recorded data.

2. (Original) A process according to claim 1, wherein the long term memory device includes a
 tape library system having a plurality of drive elements.

3. (Previously Amended) A process according to claim 2, wherein the tape library includes a
 robotic controller for moving tapes in and out of a tape drive system.

4. (Currently amended) A process according to claim 1, wherein the long term memory device
 includes a ~~raid~~RAID storage system.

5. (Currently Amended) A process according to claim 1, wherein directing the processor to
 store data on the data storage elements includes directing the processor to store data on each data
 storage element until each data storage element reaches data storage capacity.

6. (Currently Amended) A method of storing data comprising:
 detecting a condition representing a data storage capacity of at least one of at least two
 data storage elements; and,
 based on the detected condition, storing the data on the data storage element associated
 with an earliest time of storage.

7. (Previously Added) The method of claim 6, wherein storing the data on the data storage
 element associated with an earliest time of storage comprises:
 associating at least one time of storage with the at least two data storage elements.

8. (Previously Added) The method of claim 6, wherein storing the data on the data storage
 element associated with an earliest time of storage comprises:
 comparing at least one time of storage associated with the at least two data storage
 elements; and
 identifying the data storage element associated with the earliest time of storage.

9. (Previously Added) The method of claim 6, further comprising:
 providing a storage system including the at least two data storage elements and a
 processor for controlling data storage on the at least two data storage elements.

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10. (Previously Added) The method of claim 9, wherein the storage system includes at least one of a tape library system, a hard disk system, a read/write CD-ROM system, and a RAID system.

11. (Previously Added) The method of claim 10, wherein the storage system includes a tape library system having a library of tapes, a tape drive, and a robotic controller for moving tapes between the library and the tape drive.

12. (Currently Amended) A method of storing data comprising:

detecting a condition representing a data storage capacity of at least one of at least two data storage elements;

based on the detected condition, determining whether at least one of the at least two data storage elements includes available data storage capacity; and,

based on whether at least one of the at least two data storage elements includes available data storage capacity, storing the data on the data storage element associated with an earliest time of storage.

13. (Previously Added) The method of claim 12, wherein storing the data on the data storage element associated with an earliest time of storage comprises:

associating at least one time of storage with the at least two data storage elements.

14. (Previously Added) The method of claim 12, wherein storing the data on the data storage element associated with an earliest time of storage comprises:

comparing at least one time of storage associated with the at least two data storage elements; and

identifying the data storage element associated with the earliest time of storage.

15. (Currently Amended) The method of claim 12, further comprising:

based on whether at least one of the at least two data storage elements includes available data storage capacity, storing the data on the at least one data storage element including available data storage capacity.

16. (Currently Amended) The method of claim 15, wherein storing the data on the at least one data storage element including available data storage capacity comprises:

storing the data on the at least one data storage element including available data storage capacity until the at least one data storage element reaches data storage capacity.

17. (Currently Amended) A method of storing data comprising:

detecting a condition representing a data storage capacity for at least one of at least two data storage elements;

based on the detected condition, determining whether at least one of the at least two data storage elements includes available data storage capacity; and,

based on whether at least one of the at least two data storage elements includes available data storage capacity, storing the data on the at least one data storage element including available data storage capacity.

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18. (Currently Amended) The method of claim 17, wherein storing the data on the at least one data storage element including available data storage capacity comprises:

storing the data on the at least one data storage element including available data storage capacity until the at least one data storage element reaches data storage capacity.

19. (Currently Amended) A processor program for storing data, the processor program being tangibly stored on a processor-readable medium and comprising instructions operable to cause a processor to:

detect a condition representing a data storage capacity of at least one of at least two data storage elements; and,

based on the detected condition, store the data on the data storage element associated with an earliest time of storage.

20. (Previously Added) The processor program of claim 19, further comprising instructions operable to cause a processor to:

associate at least one time of storage with the at least two data storage elements.

21. (Previously Added) The processor program of claim 19, further comprising instructions operable to cause a processor to:

compare at least one time of storage associated with the at least two data storage elements; and

identify the data storage element associated with the earliest time of storage.

22. (Currently Amended) A processor program for storing data, the processor program being tangibly stored on a processor-readable medium and comprising instructions operable to cause a processor to:

detect a condition representing a data storage capacity of at least one of at least two data storage elements;

based on the detected condition, determine whether at least one of the at least two data storage elements includes available data storage capacity; and,

based on whether at least one of the at least two data storage elements includes available data storage capacity, store the data on the data storage element associated with an earliest time of storage.

23. (Previously Added) The processor program of claim 22, wherein the instructions to store the data on the data storage element associated with an earliest time of storage comprise instructions to:

associate at least one time of storage with the at least two data storage elements.

24. (Previously Added) The processor program of claim 22, wherein the instructions to store the data on the data storage element associated with an earliest time of storage comprise instructions to:

compare at least one time of storage associated with the at least two data storage elements; and,

identify the data storage element associated with the earliest time of storage.

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25. (Currently Amended) The processor program of claim 22, further comprising instructions operable to cause a processor to:

based on whether at least one of the at least two data storage elements includes available data storage capacity, storing the data on the at least one data storage element including available data storage capacity.

26. (Currently Amended) The processor program of claim 25, wherein the instructions to store the data on the at least one data storage element including available data storage capacity comprise instructions to:

store the data on the at least one data storage element including available data storage capacity until the at least one data storage element reaches data storage capacity.

27. (Currently Amended) A processor program for storing data, the processor program being tangibly stored on a processor-readable medium and comprising instructions operable to cause a processor to:

detect a condition representing a data storage capacity for at least one of at least two data storage elements;

based on the detected condition, determine whether at least one of the at least two data storage elements includes available data storage capacity; and,

based on whether at least one of the at least two data storage elements includes available data storage capacity, store the data on the at least one data storage element including available data storage capacity.

28. (Currently Amended) The processor program of claim 27, wherein the instructions to store the data on the at least one data storage element including available data storage capacity comprise instructions to: store the data on the at least one data storage element including available data storage capacity until the at least one data storage element reaches data storage capacity.